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UNCLAS KUWAIT 002990

SIPDIS

SENSITIVE

FOR NEA/ARPI, G/TIP

E.O. 12958: N/A

TAGS: PHUM PGOV KCRM PREL KU

SUBJECT: GOK PROSECUTION FOR TRAFFICKING-RELATED CRIMES

REF: A. STATE 108156

1B. KUWAIT 2258

11. (SBU) Since the June 3 release of the 2005 Trafficking in Persons (TIP) Report, PolOff has continued to meet with Hashim Maged Mohamed, General Manager of the Kuwait Union of Domestic Labor Offices (KUDLO). Mohamed also has a business association with Al-Haqoq International, a law firm providing legal services to domestics who face exploitation. Mohamed provided court documents proving the litigation, and conviction, of more than 30 TIP-related cases that his firm represented during the past year. (Note: These are not necessarily a comprehensive tally of all GOK prosecutions but rather just the ones handled by Al-Haqoq. Since crimes may not be identified specifically as TIP-related, it is difficult to arrive at a precise total. End note.) The crimes, ranging from lack of payment to physical abuse to rape, occurred between January and November 2004.

12. (SBU) Court documents from Mohamed indicate that the GOK, through the Court of First Instance, prosecuted one case of rape resulting in life sentences for the two perpetrators. For those found guilty of assault and battery, constituting 13 cases, punishment ranged from a 100KD (approximately \$345) fine to 15 years in prison for a Kuwaiti who fondled and then pushed a maid causing her to fall down a flight of stairs and break her back. The courts awarded other domestics restitution, in the form of back-wages, and fined the delinquent employers between 50KD (\$173) and 570KD (\$1,977) for court fees and punitive damages. These cases took between three months and one year to prosecute from the date of the crime until resolution.

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